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6 Attorneys for Plaintiffs

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8 UNITED STATES DISTRICT COURT  
9 SOUTHERN DISTRICT OF CALIFORNIA  
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11 JOHN KERR, EDWARD LI, TIM  
BARNARD, KENNETH CURTIS, LIA  
12 JOHNSON, JOHN ABJANIC, and  
ARNOLD CARES, individually and on  
13 behalf of all others similarly situated,

14 Plaintiffs,

15 vs.

16 ZACKS INVESTMENT RESEARCH,  
INC., an Illinois corporation,  
17 NATIONAL MARKETING  
RESOURCES, LLC, a Missouri limited  
18 liability company; PARADIGM  
DIRECT LLC, a Delaware limited  
19 liability company; RESPONSE  
NORTH, LLC, a Utah limited liability  
20 company; ZACKS INVESTMENT  
MANAGEMENT, INC. an Illinois  
21 corporation; and DOES 6-50, inclusive,

22 Defendants.  
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CASE NO. 16-CV-01352 GPC BLM

**NOTICE OF MOTION AND  
MOTION FOR FINAL APPROVAL  
OF SETTLEMENT**

Date: April 6, 2018

Time: 1:30 p.m.

Crtrm.: 2D (2nd Floor - Schwartz)

Judge: Hon. Gonzalo P. Curiel

1 TO ALL PARTIES AND TO THEIR ATTORNEYS OF RECORD:

2 PLEASE TAKE NOTICE that on April 6, 2018, at 1:30 p.m. in Courtroom  
3 2D of the above captioned Court located at 221 West Broadway, San Diego,  
4 California 92101, the Honorable Gonzalo P. Curiel presiding, plaintiffs John Kerr,  
5 Edward Li, Tim Barnard, Kenneth Curtis, Lia Johnson, John Abjanic, and Arnold  
6 Cares (“Plaintiffs”) will and hereby do move the Court for an order granting final  
7 approval of the settlement entered into between Plaintiffs and the defendants in this  
8 action.

9 This motion is made pursuant to Rule 23(e) of the Federal Rules of Civil  
10 Procedure and is made on the ground that the settlement merits final approval in  
11 view of the extent of discovery conducted in this action, the arm’s-length nature of  
12 the settlement negotiations, the representation of the putative class by experienced  
13 counsel, the terms of the settlement, the response of class members, and other  
14 factors relevant to court approval of a class action settlement.

15 This motion is based on this Notice, the Memorandum of Points and  
16 Authorities filed herewith, the Declaration of Zachariah P. Dostart filed herewith,  
17 the Declaration of Abel Morales filed herewith, the court record in this action, and  
18 any argument or evidence as the Court may consider at the hearing of this motion.

19 Dated: March 9, 2018

DOSTART HANNINK & COVENEY LLP

21 /s/ Zachariah P. Dostart

22 ZACHARIAH P. DOSTART

23 Attorneys for Plaintiffs

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